

REMARKS

Claims 1-4, 6-24, 27-30, 32-50, and 53-62 were presented for examination. In an Office Action dated August 3, 2009, claims 1-4, 6-24, 27-30, 32-50, and 53-62 were rejected. In response, none of the pending claims are amended herein. In view of the remarks that follow, reconsideration of all outstanding objections and rejections, and withdrawal of them, is now requested.

Response to Rejections under 35 U.S.C. § 103(a)

Claims 1-4, 10-24, 27-30, 36-50, 53-56, and 59-62 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Ryan, U.S. Patent No. 6,421,675, in view of Knight, U.S. Patent No. 6,571,234, further in view of Dumais, U.S. Patent No. 7,162,473 and further in view of Abu-Hakima, U.S. Patent Publication No. 2003/0020749. Claims 6 and 32 stand rejected as being unpatentable over Ryan, Knight, Dumais, Abu-Hakima and further in view of Logan, U.S. Patent Publication No. 2003/0093790. Claims 7-9, 33-35 stand rejected as being unpatentable over Ryan, Knight, Dumais, Abu-Hakima, and further in view of Zhou, U.S. Patent Publication No. 2004/0059730. Claims 57-58 stand rejected as being unpatentable over Ryan, Knight, Dumais, Abu-Hakima, and further in view of Simske, U.S. Patent Publication No. 2004/0133560. These rejections are traversed.

Claims 1 and 27 respectively recite a method and a computer-readable storage medium for ranking article identifiers of a result set from an implicit query implied from a user's current context. Claim 1 is representative.

A method of ranking article identifiers of a result set from an implicit query implied from a user's current context, the method comprising:
receiving an event concerning the user's current context, wherein the event comprises a user interaction with an article having content

stored on a local client device, wherein the article is associated with at least one of a plurality of client applications;
analyzing the content of the article associated with the event concerning the user's current context to extract at least one keyword;
generating an implicit query based at least in part on the at least one keyword;
performing a search based at least in part on the implicit query to determine a result set, wherein the result set comprises one or more article identifiers associated with articles relevant to the implicit query; and
ranking the article identifiers based at least in part on one or more characteristics of the content of the article associated with the event concerning the user's current context, wherein the one or more characteristics comprise highlighting of the content of the article associated with the event.

The claimed invention ranks article identifiers based at least in part on one or more characteristics of the content of the article associated with the event concerning the user's current context. The one or more characteristics comprise highlighting of the content of the article associated with the event. For example, an article identifier associated with an article that comprises content relevant to a highlighted word(s) in the content of the article associated with the event concerning the user's current context may be ranked higher than an article identifier associated with an article that comprises content relevant to a non-highlighted word(s) in the content of the article associated with the event concerning the user's current context.

As admitted by the Examiner, Ryan, Knight, and Dumais fail to disclose or suggest "ranking article identifiers based at least in part on one or more characteristics of the content of the article associated with the event concerning the user's current context, wherein the one or more characteristics comprise highlighting of the content of the article associated with the

event.” The Examiner relies on Abu-Hakima for this disclosure. However, Abu-Hakima does not remedy the deficiencies of Ryan, Knight, and Dumais.

Abu-Hakima discloses a system for presenting electronic documents on a user’s electronic display screen according to concepts associated with the electronic documents. *See* Abu-Hakima, Abstract. The Examiner asserts that the “highlighting” aspect is shown by Abu-Hakima at paragraph 65. *See* Office Action, p. 5. However, a close inspection of Abu-Hakima at the section noted by the Examiner and elsewhere indicates that this is incorrect.

Paragraph 65 of Abu-Hakima merely discloses that “the key phrases/terms of the message are ranked to *produce content highlights* representing the most important content of the message...” There is simply no suggestion in Abu-Hakima of ranking the key phrases/terms in electronic documents based on the fact that the key phrases/terms are *already* highlighted in the electronic documents *prior to the ranking*. Abu-Hakima merely discloses highlighting the key phrases/terms *after the fact that the key phrases/terms have been ranked* by displaying message highlights for a given document in a highlight window near the display window for the document when a user is browsing the document. *See* Abu-Hakima, ¶ [0068].

Abu-Hakima does not use the highlighting to influence the ranking of the key phrases/terms in a message by ranking based at least in part on “highlighting of the content” of the message, as claimed. Rather, Abu-Hakima merely uses the so-called “highlighting” to *emphasize* the higher ranked key phrases/terms within the message by displaying the key phrases/terms in the highlight window as mentioned above. At best, Abu-Hakima simply discloses that the key phrases/terms are ranked based on weights according to the context of the message (e.g., the time of day, whether the message is replied to or cc’d) that comprises

the key phrases/terms or based on statistical criteria such as the frequency of occurrence of a word in the message rather than “highlighting” of content of the article associated with the event, as claimed. *See* Abu-Hakima, ¶ [0032].

Therefore, for at least these reasons, the cited references both alone and in combination fail to show all of the claimed elements and thus the Examiner has not met his burden in establishing a prima facie case of obviousness under 35 U.S.C. § 103(a). Claims 1 and 27 are patentably distinguishable over the cited references.

Claim 53 includes limitations similar to those of claim 1. Thus, all arguments advanced above in regard to claim 1 are hereby incorporated so as to apply to claim 53. Thus, claim 53 is patentably distinguishable over the cited references both alone and in combination.

The Examiner only applied Ryan in view of various combinations of other references including Knight, Dumais, Abu-Hakima, Logan, Zhou, and Simske for the dependent limitations in the claims. Logan, Zhou, and Simske do not remedy the deficiencies of the cited references discussed above nor does the Examiner make this assertion. Applicants submit that the dependent claims incorporate the limitations of their respective base claims and are allowable for at least the reasons described above, in addition to the further patentable limitations recited therein.

For example, as noted by the Examiner Ryan, Knight, Dumais, and Abu-Hakima do not disclose or suggest that the “one or more characteristics” for ranking the article identifiers “comprise[s] italicizing of content within the article associated with the event,” as recited in claim 57 and that the “one or more characteristics” comprises “font color of content within the article associated with the event” as recited in claim 58. The Examiner relies on Simske

for the disclosure of the features recited in claims 57 and 58, but Simske does not remedy the deficiencies of Ryan, Knight, Dumais, and Abu-Hakima.

Simske discloses a system that weights keywords of documents and clusters documents that include similar keywords. *See* Simske, ¶ [0015]. As noted by the Examiner, Simske discloses weighting keywords in documents using font information. *See* Simske, ¶ [0020]. The Examiner asserts that font information reads on “italicizing of content” and “font color of content,” as respectively recited in claims 57 and 58. *See* Office Action, pp. 14-15. Even assuming for the sake of argument that this is correct, there is still no hint, mention, or suggestion in Simske that the font information is used for “ranking” article identifiers, as claimed. Rather, Simske merely weights keywords in documents based on the font information and *compares* the weights of keywords in pairs of documents to a threshold to determine whether the pairs of documents should belong to the same cluster. *See* Simske, ¶¶ [0027] and [0055]-[0058].

Conclusion

In sum, Applicants respectfully submit that all claims now pending are patentable over the cited references for at least the reasons given above. Applicants request reconsideration of the basis for the rejections of these claims and request allowance of them.

If the Examiner believes that for any reason direct contact with Applicants’ attorney would help advance the prosecution of this case, the Examiner is invited to telephone the undersigned at the number given below.

Respectfully Submitted,

Date: September 30, 2009

By: /Brian Hoffman/
Brian M. Hoffman, Attorney of Record
Registration No. 39,713
FENWICK & WEST LLP
801 California Street
Mountain View, CA 94041
Phone: (415) 875-2484
Fax: (650) 938-5200
Email: bhoffman@fenwick.com